

**MARCH 4, 2009**

KAREN S. MITCHELL

CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

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WILLIAM BARRON ALLISON, PRO SE, §  
also known as §  
WILLIAM B. ALLISON, §  
TDCJ-CID No. 1237625, §  
Previous TDCJ-CID No. 354367, §  
Previous TDCJ-CID No. 1128320, §  
§  
Plaintiff, §  
§  
v. § 2:08-CV-0149  
§  
NATHANIEL QUARTERMAN, §  
Warden J. NUNN, §  
Warden GLENN WHITFIELD, §  
Captain J. DANIELS, and §  
MARY ANN LAMB, §  
§  
Defendants. §

**ORDER OF DISMISSAL**

Plaintiff WILLIAM BARRON ALLISON, acting pro se and while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-referenced defendants and was granted permission to proceed *in forma pauperis*.

On February 5, 2009, a Report and Recommendation was issued by the United States Magistrate Judge recommending dismissal of the instant cause without prejudice for failure to comply with the requirements of Federal Rule of Civil Procedure 8. The Magistrate Judge also noted the complaint's failure to comply with Rule 8 also resulted in a failure to state a claim on which relief can be granted.

The period for response has expired, and no objections have been filed by plaintiff.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that analysis and recommendation of the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court, with the addition of failure to state a claim on which relief can be granted as a reason for dismissal.

This Court, therefore, does hereby ADOPT the analysis and recommendation of the Report and Recommendation of the United States Magistrate Judge in this case, with the addition of failure to state a claim on which relief can be granted as a reason for dismissal.

**IT IS THEREFORE ORDERED** that the Civil Rights Complaint by plaintiff WILLIAM BARRON ALLISON is DISMISSED WITHOUT PREJUDICE FOR FAILURE COMPLY WITH THE REQUIREMENTS OF FEDERAL RULE OF CIVIL PROCEDURE 8 AND FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

The Clerk shall send a copy of this order to plaintiff and to any attorney of record. The Clerk shall also mail copies of this order to TDCJ-Office of the General Counsel, P.O. Box 13084, Austin, TX 78711; and to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

**IT IS SO ORDERED.**

ENTERED this 4<sup>th</sup> day of March, 2009.

/s/ Mary Lou Robinson  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE